



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

LIQUOR LICENSE PLAN OF OPERATION

Licensee: JB at River North, LLC
D/b/a: John Barleycorn

Premises: 149-151 W. Kinzie Street
Chicago, IL 606454

Application Type: Consumption on Premises – Incidental Activity Liquor License
Account Number 371182,
Site Number 1

Pursuant to Chapter 4-60-040(h) of the City of Chicago Municipal Code, the City of Chicago Local Liquor Control Commission (LLCC) and the above named Licensee have agreed to the issuance of a Consumption on Premises — Incidental Activity liquor license under the following conditions.

1. Rules and Hours of Operation for the Retractable Roof:

A portion of the licensee's business premises has a retractable roof system. During such times when the licensee has the retractable roof system open, the licensee is, in effect, operating an open air outdoor patio. Licensee shall close the retractable roof at 10:00 p.m. every night of the week.

The Licensee agrees that when the retractable roof system is open, the Licensee shall abide by Chapters 4-60-140(g) and 4-60-050(c) of the City of Chicago Municipal Code concerning the prohibition of any live or recorded music being played or performed in any outdoor patio. Licensee agrees that when the roof is open, no live or recorded music from inside the premises shall be allowed to directly emanate into the open-air space of the Premises. Licensee agrees to take reasonable noise abatement measures to prevent any live or recorded music, being played inside the premises, from directly emanating into the open-air space of the premises.

2. Licensee seeks to operate as a 14000 Sq. Ft – restaurant with incidental liquor service and live entertainment. Pursuant to the representations made by the licensee, the business shall operate as a restaurant with live entertainment where the primary business activity will be the sale and service of food with live entertainment and where alcohol sales and consumption will only be incidental. At no time will the business be operated in a manner where alcohol sales are the primary activity.



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3. Licensee agrees that if an investigation by the LLCC reveals that alcohol sales are the primary activity of the business, the Licensee along with counsel shall meet with the LLCC within 30 days of a request to meet. At the meeting Licensee shall provide information to the LLCC that demonstrates that the Licensee is not selling alcohol as its primary business activity. If the Licensee does not provide sufficient information to establish that alcohol sales are not the primary activity of the business, Licensee shall be subject to an immediate Cease and Desist order.
4. The Licensee is restaurant, however, only persons 21 and over, in possession of valid, unexpired photo IDs, will be served alcohol. Computer-based ID scanners, which calculate the age of the person identified, as well as detection of fraudulent IDs, shall be utilized.
5. Licensee shall take steps to prevent excessive noise from patrons leaving or entering the premises by posting signs near the exits and entrances that read "Respect Neighbors, Leave Quietly." As patrons leave the establishment at the end of the night, security personnel will also remind patrons to reduce their noise levels. Adequate exterior lighting will be utilized to help deter patrons from becoming boisterous. Licensee shall provide two private security guards on the premises on Friday and Saturday.

As concerns entertainment noise, the licensee shall keep noise levels below 55 decibels, in any inhabited part of any building in conformity with the City of Chicago's Environmental Noise ordinance (11-4-2720). The licensee shall respond promptly and professionally to any complaint concerning excess entertainment noise from the community.

6. Licensee shall take steps to avoid loitering by patrons by posting signs near the exits, entrances, and around the premises that read "No Loitering." Security personnel onsite will deter patrons from lingering around the premises; there are a number of security personnel inside and outside the establishment helping to disperse patrons if they decide to loiter. Should there be patrons that refuse to stop loitering and become problematic, the incident shall be documented in the nightly log and the police department shall be contacted.
7. The Licensee shall take steps to prevent the accumulation of litter by making an employee responsible for the outside cleaning duties throughout the day and at the end of each night. The employee will be part of the full time staff and will be responsible for picking up any trash that is located in front of, adjacent to, and across the street from the premises of the establishment. Both beverage and comestible deliveries and trash pick-up shall be executed in the rear of the premises and not in the vicinity of any residences.



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8. The Licensee shall take steps to prevent fighting, disturbances of the peace, public intoxication, unruly behavior, or any other criminal activity by the presence of adequate exterior lighting, and the presence of security personnel to deter patrons from participating in these types of activities. Security personnel shall be strategically placed at the common exits, and restrooms within the establishment in order to survey the premises and prevent problems. Security personnel at the entrances shall enforce occupancy limits at all times. In the event that any criminal activity occurs, the incident shall be documented in a log and the police department shall be contacted.
9. The Licensee shall take steps to prevent the congregation of departing patrons in such numbers as to unreasonably impede traffic flow by turning on the lights of the establishment at 1:30 am, so as to give the patrons' sufficient time to depart. Licensee shall take steps to prevent liquor from being removed from the premises by patrons by having employees and security personnel located at the common exits. Licensee shall contact cab companies, if need be, to ensure that patrons leave quickly and safely.
10. The licensee shall take steps to safeguard the safety of pedestrians in front of the premises by the installation of lighting and security cameras, and by the presence of door men and other staff from the licensee. Persons who wish to leave the premises to smoke will not be permitted to use the sidewalk at the front of the premises but will be directed to a private area maintained by the licensee behind the establishment.
11. Licensee shall take steps to alleviate parking congestion by developing and implementing a parking validation agreement with a nearby parking lot to provide its customers with discounted parking. Traffic Management personnel will be available, at the restaurant's expense, to be used in requesting cab service on Thursday, Friday Saturday and Sunday.

The CTA maintains a major elevated stop located one-half block west of the premises, and the licensee will provide all customers with information about this extremely convenient service and encourage them to take advantage of it. The Licensee shall assist patrons requesting taxi services arriving at and departing from the licensed premises and ensure that taxis and other vehicles dropping off passengers at the licensed premises do so efficiently so that the flow of street traffic is not disturbed. The licensee shall also inform patrons of the location and availability of any nearby public parking.

12. **Occupancy**. The Licensee shall not allow the occupancy of the Premises to exceed the legally permitted occupancy.
13. **Kitchen to Remain Open**. During all hours that the business is open to the public, the Licensee shall offer food preparation and service to its patrons.



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
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14. **Community Participation & Cooperation.** The Licensee shall regularly attend CAPS Beat meetings and agrees to set up and/or attend meetings with the alderman, police commander and community residents or groups to discuss any concerns regarding the operation of the Licensee's business.
15. **Non-Smoking Laws.** The Licensee will enforce all applicable City and State non-smoking laws as they relate to both the interior and the exterior of the Premises.
16. **Alcohol Server Training.** All bar and wait staff will be BASSET or TIPS certified, and will be trained with respect to the detection of fraudulent identification. All bartenders and wait staff will be trained to identify intoxicated patrons and will take pro-active steps to prevent the intoxication of patrons.
17. The licensee shall not apply for a Late Hour Liquor license.

The conditions of the Consumption on Premises — Incidental Activity liquor license issued pursuant to this Plan of Operation are legally binding and may be enforced by the City of Chicago enforcement authorities under MCC 4-60-040. All other conditions of the license are governed by the City of Chicago Municipal Code. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the Licensee. Violation of the above stated conditions may also result in the issuance of Cease and Desist Orders prohibiting the activity which violates the conditions of the liquor license.

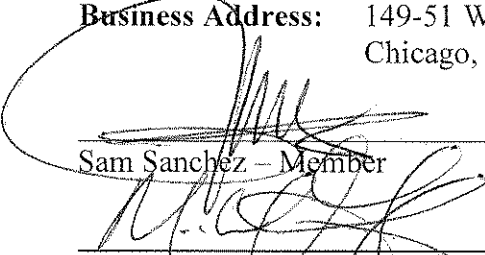
The conditions of the Consumption on Premises — Incidental Activity liquor license issued pursuant to this Plan of Operation shall apply to the business address and License and to all officers, managers, partners, and direct or indirect owners of the licensed entity. The sale of the business to other persons purchasing the stock or membership units of the licensed entity does not void the conditions of the license. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation.

It shall be the duty of every person conducting, engaging in, maintaining, operating, carrying on or managing the above mentioned business entity to post this liquor license plan of operation next to the Liquor License in a conspicuous place at the business address.

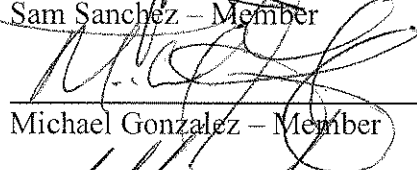


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Business Address: 149-51 W. Kinzie Street
Chicago, IL 60654



Sam Sanchez - Member



Michael Gonzalez - Member



Jeffrey Yamane - Member



Gregory J. Steadman
City of Chicago
Local Liquor Control Commissioner

Date: 11-02-12